Calendar No. 896

98TH CONGRESS
2d Session

SENATE

REPORT
98–463

ARIZONA WILDERNESS ACT OF 1984

MAY 18 (legislative day, MAY 14), 1984.—Ordered to be printed

Mr. MCCLURE, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany S. 2242]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 2242) to designate certain national forest lands in the State of Arizona as wilderness, and for other purposes, having considered the same, reports favorably thereon with an amendment to the text in the nature of a substitute and recommends that the bill (as amended) do pass.

The amendment is as follows:

On page 1, line 3, strike all after the enacting clause and insert the following in lieu thereof:

That this Act may be cited as the "Arizona Wilderness Act of 1984".

TITLE I

SEC. 101(a) In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131–1136), the following lands in the State of Arizona are hereby designated as wilderness and therefore as components of the National Wilderness Preservation System:

(1) certain lands in the Prescott National Forest, which comprise approximately five thousand four hundred and twenty acres, as generally depicted on a map entitled "Apache Creek Wilderness-Proposed", dated April 1984, and which shall be known as the Apache Creek Wilderness;

(2) certain lands in the Prescott National Forest, which comprise approximately fourteen thousand eight hundred and forty acres, as generally depicted on a map entitled "Cedar Bench Wilderness-Proposed", dated April 1984, and which shall be known as the Cedar Bench Wilderness;

(3) certain lands in the Apache-Sitegraves National Forest, which comprise approximately eleven thousand eighty acres, as generally depicted on a map entitled "Bear Wallow Wilderness-Proposed", dated April 1984, and which shall be known as the Bear Wallow Wilderness;

(4) certain lands in the Prescott National Forest, which comprise approximately twenty-one thousand eight hundred acres, as generally depicted on a map entitled "Castle Creek Wilderness-Proposed", dated April 1984, and which shall be known as the Castle Creek Wilderness;

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(5) certain lands in the Cornonado National Forest, which comprise approximately twenty-one thousand eight hundred acres, as generally depicted on a map entitled "Chiricahua Wilderness-Proposed", dated April 1984, and which are hereby incorporated in and shall be deemed part of the Chiricahua Wilderness, as designated Public Law 88–577;

(6) certain lands in the Coconino National Forest, which compromise approximately eleven thousand five hundred and fifty acres, as generally depicted on a map entitled "Fossil Springs Wilderness-Proposed", dated April 1984, and which shall be known as the Fossil Springs Wilderness;

(7) certain lands in the Tonto Natonal Forest, which compise approximately fifty three thousand five hundred acres, as generally depicted on a map entitled "Four Peaks Wilderness-Proposed", dated April 1984, and which shall be known as the Four Peaks Wilderness;

(8) certain lands in the Coronado National Forest, which comprise approximately twenty three thousand six hundred acres, as generally depicted on a map entitled "Galiuro Wilderness Additions-Proposed", dated April 1984, and which are hereby incorporated in and shall be deemed a part of the Galiuro Wilderness as designated by Public Law 88–577;

(9) certain lands in the Prescott National Forest, which compromise approximately nine thousand eight hundred acres, as generally depicted on a map entitled "Granite Mountain Wilderness-Proposed", dated April 1984, and which shall be known as Granite Mountain Wilderness;

(10) certain lands in the Tonto National Forest, which compromise approximately thirty six thousand seven hundred acres, as generally depicted on a map entitled "Hellsgate Wilderness-Proposed", dated April 1984, and which shall be known as the Hellsgate Wilderness;

(11) certain lands in the Kaibab National Forest, which comprise approximately six thousand five hundred and ten acres, as generally depicted on a map entitled "Kendrick Mountain Wilderness-Proposed", dated April 1984, and which shall be known as Kendrick Mountain Wilderness;

(12) certain lands in the Tonto National Forest, which comprise approximately forty six thousand five hundred twenty acres, as generally depicted on a map entitled "Mazatzal Wilderness Additions-Proposed", dated April 1984, and which are hereby incorporated and shall be deemed a part of the Mazatzal Wilderness as designated by Public Law 88–577: Provided, That within the lands added to the Mazatzal Wilderness by this Act, the provisions of the Wilderness Act shall not be construed to prevent the installation and maintenance of hydrologic, meterologic or telecommunications facilities, or any combination of the foregoing, or limited motorized access to such facilities when nonmotorized access means are not reasonably available or when time is of the essence, subject to such conditions as the Secretary deems desirable, where such facilities or access are essential to flood warning, flood control and water reservoir operation purposes;

(13) certain lands in the Coronado National Forest, which comprises approximately twenty thousand one hundred and ninety acres, as generally depicted on a map entitled "Miller Peak Wilderness-Proposed", dated April 1984, and which shall be known as the Miller Peak Wilderness;

(14) certain lands in the Coronado National Forest, which comprise approximately twenty three thousand two hundred fifty acres, as generally depicted on a map entitled "Mt. Wrightson Wilderness-Proposed", dated April 1984, and which shall be known as the Mt. Wrightson Wilderness;

(15) certain lands in the Coconino National Forest, which comprises approximately seventeen thousand two hundred acres, as generally depicted on a map entitled "Munds Mountain Wilderness-Proposed", dated April 1984, and which shall be known as the Munds Mountain Wilderness;

(16) certain lands in the Coronado National Forest, which comprise approximately seven thousand four hundred twenty acres, as generally depicted on a map entitled "Pajarita Wilderness-Proposed", dated April 1984, and which shall be known as the Pajarita Wilderness;

(17) certain lands in the Coconino National Forest, which comprise approximately forty three thousand nine hundred fifty acres, as generally depicted on a map entitled "Red Rock-Secret Mountain Wilderness-Proposed", dated April 1984, and which shall be known as the Red Rock-Secret Mountain Wilderness;

(18) certain lands in the Coronado National Forest, which comprise approximately thirty eight thousand five hundred ninety acres, as generally

depicted on a map entitled "Rincon Mountain Wilderness-Proposed", dated April 1984, and which shall be known as the Rincon Mountain Wilderness;

(19) certain lands in the Tonto National Forest, which comprise approximately eighteen thousand acres, as generally depicted on a map entitled "Salome Wilderness-Proposed", dated April 1984, and which shall be known as the Salome Wilderness;

(20) certain lands in the Tonto National Forest, which comprise approximately thirty-two thousand eight hundred acres, as generally depicted on a map entitled "Salt River Canyon Wilderness-Proposed", dated April 1984, and which shall be known as the Salt River Canyon Wilderness;

(21) certain lands in the Coconino National Forest, which comprise approximately eighteen thousand acres, as generally depicted on a map entitled "Kachina Peaks Wilderness-Proposed", dated April 1984, and which shall be known as the Kachina Peaks Wilderness;

(22) certain lands in the Coronado National Forest, which comprise approximately twenty six thousand seven hundred eighty acres, as generally depicted on a map entitled "Santa Teresa Wilderness-Proposed", dated April 1984, and which shall be known as the Santa Teresa Wilderness;

(23) certain lands in the Tonto National Forest, which comprise approximately thirty five thousand six hundred forty acres, as generally depicted on a map entitled "Superstition Wilderness Additions-Proposed", dated April 1984, and which are hereby incorporated in and shall be deemed to be a part of the Superstition Wilderness as designated by Public Law 88–577;

(24) certain lands in the Coconino National Forest and Prescott National Forest, which comprise approximately eight thousand one hundred eighty acres, as generally depicted on a map entitled "Sycamore Canyon Wilderness Additions-Proposed", dated April 1984, and which are hereby incorporated in and shall be deemed a part of the Sycamore Canyon Wilderness as designated by Public Law 92–241;

(25) certain lands in the Coconino National Forest, which comprise approximately thirteen thousand six hundred acres, as generally depicted on a map entitled "West Clear Creek Wilderness-Proposed", dated April 1984, and which shall be known as the West Clear Creek Wilderness;

(26) certain lands in the Coconino National Forest, which comprise approximately six thousand seven hundred acres, as generally depicted on a map entitled "Wet Beaver Wilderness-Proposed", dated April 1984, and which shall be known as the Wet Beaver Wilderness;

(27) certain lands in the Prescott National Forest, which comprise approximately five thousand seven hundred acres, as generally depicted on a map entitled "Woodchute Wilderness-Proposed", dated April 1984, and which shall be known as Woodchute Wilderness.

(28) certain lands in the Coconino National Forest, which comprise approximately ten thousand one hundred forty acres, as generally depicted on a map entitled "Strawberry Crater North and South-Proposed", dated April 1984, and which shall be known as Strawberry Crater North and South Wilderness;

(29) certain lands in the Apache-Sitegraves National Forest, which comprise approximately five thousand two hundred acres, as generally depicted on a map entitled "Escudilla—Proposed Wilderness, dated April 1984, and which shall be known as Escudilla Wilderness.

(b) Subject to valid existing rights, the wilderness areas designated under this section shall be administered by the Secretary of Agriculture (hereinafter in this Act referred to as the "Secretary") in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act (or any similar reference) shall be deemed to be a reference to the date of enactment of this Act.

(c) As soon as practicable after enactment of this Act, the Secretary shall file a map and a legal description of each wilderness area designated under this section with the Committee on Interior and Insular Affairs of the United States House of Representatives and with the Committee on Energy and Natural Resources of the United States Senate. Such map and description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in such legal description and map may be made. Such

map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, United States Department of Agriculture.

(d) The Congress does not intend that designation of wilderness areas in the State of Arizona lead to the creation of protective perimeters or buffer zones around each wilderness area. The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.

(e)(1) As provided in paragraph (6) of section 4(d) of the Wilderness Act, nothing in this Act or in the Wilderness Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from Arizona State water laws.

(2) As provided in paragraph (7) of section 4(d) of the Wilderness Act, nothing in this Act or in the Wilderness Act shall be construed as affecting the jurisdiction or responsibilities of the State of Arizona with respect to wildlife and fish in the national forests located in that State.

(f)(1) Grazing of livestock in wilderness areas established by this title, where established prior to the date of the enactment of this Act, shall be administered in accordance with section 4(d)(4) of the Wilderness Act and section 108 of Public Law 96–560.

(2) In those areas designated as wilderness by this title, where the use of mechanized vehicles and equipment for construction and maintenance of range improvements has been an established practice; the Secretary may authorize such practice to continue.

(3) In those areas designated as wilderness by this title, the Secretary is directed to continue methods currently being utilized to maintain the level of grazing capability that existed at the time of passage of this Act.

SEC. 102. (a) In furtherance of the purposes of the Wilderness Act, the Secretary of Agriculture shall review the following as to their suitability or nonsuitability for preservation as wilderness and shall submit his recommendations to the President:

(1) certain lands in the Coronado National Forest, which comprise approximately eight hundred fifty acres as generally depicted on a map entitled "Bunk Robinson Wilderness Study Area Additions—Proposed", dated April 1984, and which are hereby incorporated in the Bunk Robinson Wilderness Study Area as designated by Public Law 96–550;

(2) certain lands in the Coronado National Forest which comprise approximately five thousand and eighty acres, as generally depicted on a map entitled" Whitmire Canyon Study Area Additions—Proposed", dated April 1984, and which are hereby incorporated in the Whitmire Canyon Wilderness Study Area as designated by Public Law 96–550; and

(3) certain lands in the Coronado National Forest which comprise approximately sixty-two thousand acres, as generally depicted on a map entitled "Mount Graham Wilderness Study Area", dated April 1984, and which shall be known as the Mount Graham Wilderness Study Area.

With respect to the areas named in paragraphs (1) and (2), the President shall submit his recommendations to the United States House of Representatives and the United States Senate no later than January 1, 1986.

(b) Subject to valid existing rights, the wilderness study areas designated by this section shall, until Congress determines otherwise, be administered by the Secretary so as to maintain their presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System.

SEC. 103. Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274) is amended by inserting the following after paragraph (50):

"(51) VERDE, ARIZONA.—The segment from the boundary between national forest and private land in sections 26 and 27, township 13 north, range 5 east, Gila Salt River meridian, downstream to the confluence with Red Creek, as generally depicted on a map entitled 'Verde River—Wild and Scenic River', dated March 1984, which is on file and available for public inspection in the Office of the Chief, Forest Service, United States Department of Agriculture; to be administered by the Secretary of Agriculture. This designation shall not prevent water users receiving Central Arizona Project water allocations from diverting that water through an exchange agreement with downstream water users in accordance with Arizona water law. After consultation with State and local governments and the interested public and within two years after the date of enactment of this paragraph, the Secretary shall take such action as is required under subsection (b) of this section.".

TITLE II

SEC. 201. The Congress finds that—

(1) the Aravaipa Canyon, situated in the Galiuro Mountains in the Sonoran desert region of southern Arizona, is a primitive place of great natural beauty that, due to the rare presence of a perennial stream, supports an extraordinary abundance and diversity of native plant, fish, and wildlife, making it a resource of national significance; and

(2) the Aravaipa Canyon should, together with certain adjoining public lands, be incorporated within the national wilderness preservation system in order to provide for the preservation and protection of this relatively undisturbed but fragile complex of desert, riparian and aquatic ecosystems, and the native plant, fish, and wildlife communities dependent on it, as well as to protect and preserve the area's great scenic, geologic, and historical values, to a greater degree than would be possible in the absence of wilderness designation.

SEC. 202. In furtherance of the purposes of the Wilderness Act of 1964 (78 Stat. 890, 16 U.S.C. 1131 et seq.) and consistent with the policies and provisions of the Federal Land Policy and Management Act of 1976 (90 Stat. 2743; 43 U.S.C. 1701 et seq.), certain public lands in Graham and Pinal Counties, Arizona, which comprise approximately six thousand six hundred and seventy acres, as generally depicted on a map entitled "Aravaipa Canyon Wilderness—Proposed" and dated May 1980, are hereby designated as the Aravaipa Canyon Wilderness and, therefore, as a component of the national wilderness preservation system.

SEC. 203. Subject to valid existing rights, the Aravaipa Canyon Wilderness shall be administered by the Secretary of the Interior in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness. For purposes of this title, any references in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act and any reference to the Secretary of Agriculture with regard to administration of such areas shall be deemed to be a reference to the Secretary of the Interior, and any reference to wilderness areas designated by the Wilderness Act or designated national forest wilderness areas shall be deemed to be a reference to the Aravaipa Canyon Wilderness. For purposes of this title, the reference to national forest rules and regulations in the second sentence of section 4(d)(3) of the Wilderness Act shall be deemed to be a reference to rules and regulations applicable to public lands, as defined in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701, 1702).

SEC. 204. As soon as practicable after this Act takes effect, the Secretary of the Interior shall file a map and a legal description of the Aravaipa Canyon Wilderness with the Committee on Energy and Natural Resources of the United States Senate and with the Committee on Interior and Insular Affairs of the United States House of Representatives, and such map and description shall have the same force and effect as if included in this Act: *Provided*, That correction of clerical and typographical errors in the legal description and map may be made. The map and legal description shall be on file and available for public inspection in the offices of the Bureau of Land Management, Department of the Interior.

SEC. 205. Except as further provided in this section, the Aravaipa Primitive Area designations of January 16, 1969, and April 28, 1971, are hereby revoked.

TITLE III

SEC. 301. (a) In furtherance of the purposes of the Wilderness Act, the following lands are hereby designated as wilderness and therefore, as components of the National Wilderness Preservation System—

(1) certain lands in the Arizona Strip District of the Bureau of Land Management, Arizona, which comprise approximately six thousand five hundred acres, as generally depicted on a map entitled "Cottonwood Point Wilderness—Proposed", dated May 1983, and which shall be known as the Cottonwood Point Wilderness;

(2) certain lands in the Arizona Strip District of the Bureau of Land Management, Arizona, which comprise approximately thirty-six thousand three hundred acres, as generally depicted on a map entitled "Grand Wash Cliffs Wilderness—Proposed", dated May 1983, and which shall be known as the Grand Wash Cliffs Wilderness;

(3) certain lands in the Kaibab National Forest and in the Arizona Strip District of the Bureau of Land Management, Arizona, which comprise approximately seventy-seven thousand one hundred acres, as generally depicted on a map entitled "Kanab Creek Wilderness—Proposed", dated May 1983, and which shall be known as the Kanab Creek Wilderness;

(4) certain lands in the Arizona Strip District of the Bureau of Land Management, Arizona, which comprise approximately fourteen thousand six hundred acres, as generally depicted on a map entitled "Mt. Logan Wilderness—Proposed", dated May 1983, and which shall be known as the Mount Logan Wilderness;

(5) certain lands in the Arizona Strip District of the Bureau of Land Management, Arizona, which comprise approximately seven thousand nine hundred acres, as generally depicted on a map entitled "Mt. Trumbull Wilderness—Proposed", dated May 1983, and which shall be known as the Mount Trumbull Wilderness;

(6) certain lands in the Arizona Strip District of the Bureau of Land Management, Arizona, which comprise approximately eighty-four thousand seven hundred acres, as generally depicted on a map entitled "Paiute Wilderness—Proposed", dated May 1983, and which shall be known as the Paiute Wilderness;

(7) certain lands in the Arizona Strip District, Arizona, and in the Cedar City District, Utah, of the Bureau of Land Management, which comprise approximately one hundred and ten thousand acres, as generally depicted on a map entitled "Paria Canyon-Vermilion Cliffs Wilderness—Proposed", dated May 1983, and which shall be known as the Paria Canyon-Vermilion Cliffs Wilderness;

(8) certain lands in the Kaibab National Forest, Arizona, which comprise approximately thirty-eight thousand two hundred acres, as generally depicted on a map entitled "Saddle Mountain Wilderness—Proposed", dated May 1983, and which shall be known as the Saddle Mountain Wilderness; and

(9) certain lands in the Arizona Strip District, Arizona, and in the Cedar City District, Utah, of the Bureau of Land Management, which comprise approximately nineteen thousand six hundred acres, as generally depicted on a map entitled "Beaver Dam Mountains Wilderness—Proposed", dated May 1983, and which shall be known as the Beaver Dam Mountains Wilderness.

(b) The previous classifications of the Paiute Primitive Area and the Paria Canyon Primitive Area are hereby abolished.

SEC. 302. (a) Subject to valid existing rights, each wilderness area designated by this title shall be administered by the appropriate Secretary in accordance with the provisions of the Wilderness Act: *Provided*, That any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary who has administrative jurisdiction over the area.

(b) Within the wilderness areas designated by this title, the grazing of livestock, where established prior to the date of enactment of this Act, shall be permitted to continue subject to such reasonable regulations, policies, and practices as the Secretary concerned deems necessary, as long as such regulations, policies, and practices fully conform with and implement the intent of Congress regarding grazing in such areas as such intent is expressed in the Wilderness Act.

SEC. 303. As soon as practicable after enactment of this Act, a map and a legal description on each wilderness area designated by this title shall be filed by the Secretary concerned with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Interior and Insular Affairs of the House of Representatives, and each such map and description shall have the same force and effect as if included in this Act: *Provided*, That correction of clerical and typographical errors in each such legal description and map may be made by the Secretary concerned subsequent to such filings. Each such map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture or in the Office of the Director of the Bureau of Land Management, Department of the Interior, as is appropriate.

SEC. 304. The Congress hereby finds and directs that lands in the Arizona Strip District of the Bureau of Land Management, Arizona, and those portions of the

Starvation Point Wilderness Study Area (UT–040–057) and Paria Canyon Instant Study Area and contiguous Utah units in the Cedar City District of the Bureau of Land Management, Utah, not designated as wilderness by this Act have been adequately studied for wilderness designation pursuant to section 603 of the Federal Land Policy and Management Act (Public Law 94–579), and are no longer subject to the requirement of section 603(c) of the Federal Land Policy and Management Act pertaining to management in a manner that does not impair suitability for preservation as wilderness.

TITLE IV

SEVERABILITY

SEC. 401. If any provision of this Act or the application thereof is held invalid, the remainder of the Act and the application thereof shall not be affected thereby.

TITLE V

RELEASE OF LANDS FOR MULTIPLE USE MANAGEMENT

SEC. 501. (a) The Congress finds that—

(1) the Department of Agriculture has completed the second roadless area review and evaluation program (RARE II);

(2) the Congress has made its own review and examination of national forest system roadless areas in Arizona and of the environmental impacts associated with alternative allocations of such areas.

(b) On the basis of such review, the Congress hereby determines and directs that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to the national forest system lands in States other than Arizona, such statement shall not be subject to judicial review with respect to national forest system lands in the State of Arizona;

(2) with respect to the national forest system lands in the State of Arizona which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II), and those lands referred to in subsection (d), except those lands remaining in further planning or wilderness study upon enactment of this Act, that review and evaluation or reference shall be deemed for the purposes of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revisions of the plans, but shall review the wilderness option when the plans are revised, which revisions will ordinarily occur on a ten-year cycle, or at least every fifteen years, unless, prior to such time the Secretary of Agriculture finds that conditions in a unit have significantly changed;

(3) areas in the State of Arizona reviewed in such final environment statement or referenced in subsection (d) and not designated wilderness or wilderness study or remaining in further planning upon enactment of this Act shall be managed for multiple use in accordance with land management plans pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976: *Provided*, That such areas need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of the initial land management plans;

(4) in the event that revised land management plans in the State of Arizona are implemented pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law, areas not recommended for wilderness designation need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of such plans, and areas recommended for wilderness designation shall be managed for the purpose of protecting their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law; and

(5) unless expressly authorized by Congress, the Department of Agriculture shall not conduct any further statewide roadless area review and

evaluation of national forest system lands in the State of Arizona for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

(c) As used in this section, and as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, the term "revision" shall not include an "amendment" to a plan.

(d) The provisions of this section shall also apply to:

(1) those national forest system roadless lands which were evaluated in the Kaibab National Forest known as the Red Point (03063), Big Ridge (03064), Burro Canyon (03065) and Willis Canyon (03066) roadless areas, as identified in executive communication numbered 1504, Ninety-sixth Congress (House Document numbered 96–119), and the portion of the Kanab Creek RARE II roadless area (B3–060); and

(2) national forest system roadless lands in the State of Arizona which are less than 5,0000 acres in size.

Purpose

The purpose of S. 2242, as reported, is to designate 29 national forest areas in Arizona as wilderness or additions to existing wilderness, comprising approximately 642,360 acres. Three other areas are designated for wilderness study. Title II designates a 6,670-acre Aravaipa Canyon Wilderness. Title III designates nine new wilderness areas in the so-called Arizona Strip, totaling approximately 394,900 acres. In addition, the bill designates a 41-mile stretch of the Verde River as a component of the Wild and Scenic Rivers System and "releases" certain lands not designated as wilderness for such management as is determined appropriate throughout the land management planning process of the administering agency. National forest system lands in Arizona not designated as wilderness, wilderness study or remaining in further planning are "released" for uses other than wilderness.

Background and Need

In June 1977, the U.S. Forest Service instituted its second roadless area review and evaluation (RARE II). This program was intended to survey the roadless and undeveloped areas within the National Forest Service and to distinguish areas suitable for wilderness designation from those most appropriate for other uses. The areas recommended for wilderness would be candidates for addition to the National Wilderness Preservation System by Congressional action. The remaining roadless lands were allocated to nonwilderness, for uses determined under the multiple-use planning process, or were allocated to further study.

In his proposal for RARE II lands made on April 16, 1979, President Carter made final recommendation to Congress based on the review of 2,919 identified roadless areas encompassing 62 million acres in the national forest system, including the National Grasslands. The past Administration recommended that wilderness designation be given to approximately 15.4 million acres of the original 62-million-acre roadless inventory. Another 10.8 million acres of roadless lands were determined to require further planning before decisions could be made on their future management. The balance of the areas—totaling about 36 million acres—were allotted for nonwilderness, multiple-use management.

Soon after the completion of RARE II, the State of California brought suit against the Secretary of Agriculture challenging the legal

and factual sufficiency of the RARE II Final Environmental Statement insofar as its consideration of wilderness in more than 40 areas in the State of California was concerned. In January 1980, Judge Lawrence Karlton of the United States District Court for the Eastern District of California, in the *State of California* v. *Bergland*, 483 F. Supp. 465 (1980), held that the RARE II Final Environmental Statement had insufficiently considered the wilderness alternative for the specific areas challenged. Judge Karlton enjoined any development which would "change the wilderness character" of these areas until subsequent consideration of the wilderness values in accordance with the National Environmental Policy Act is completed by the Department of Agriculture.

While this court decision affects only the State of California, there has been considerable concern that similar suits might be filed in other States which would seriously disrupt the management of the national forest system.

The Ninth Circuit Court of Appeals issued a decision October 22, 1982, on the RARE II California suit, *California* v. *Block*. The decision generally upheld the district court's view that the Forest Service RARE II Final Environmental Impact Statement (EIS) was inadequate as to the challenged areas.

The RARE II process during 1977–79 took place concurrently with the development by the Forest Service of a new land management planning process mandated by the National Forest Management Act of 1976. That process requires that the land plans be revised periodically to provide for a variety of uses including wilderness. In conjunction with the National Environmental Policy Act, NFMA provides that the option of recommending land to Congress for inclusion in the National Wilderness Preservation System must be considered during the planning process for those lands which may be suited for wilderness. The Forest Service is presently developing the initial, or "first-generation" plan for each national forest. These are the so-called "section 6" plans and are to be completed by September 30, 1985. As one of the goals of RARE II was to consider the wilderness potential of all national forest roadless areas, the Forest Service regulations for implementing the National Forest Management Act (36 CFR 219.12 (3)), Federal Register, September 17, 1979, pg. 53988 provide that lands designated by RARE II for multiple uses other than wilderness need not again be considered for wilderness in the course of developing the "first generation" plans.

As a result of RARE II, the Forest Service identified 1,995,032 acres in the State of Arizona as having wilderness characteristics. In the RARE II Final Environmental Impact Statement, filed on April 15, 1979, the Administration recommended 400,312 acres for inclusion in the National Wilderness Preservation System. 545,828 acres were identified for further planning and 1,008,592 acres were to be planned for uses other than wilderness.

S. 2242 as reported has five titles.

Title I seeks to resolve the RARE II controversy in Arizona by designating certain national forest system lands in the State as wilderness. The bill also incorporated the Forest Service's recommendation for designation of a segment of the Verde River as a wild and scenic river.

Title II addresses the Bureau of Land Management's recommendation for designation of Aravaipa Canyon as a wilderness area.

Title III represents legislation developed by conservation groups, industry representatives and others to address pressing questions concerning wilderness designations on the so-called Arizona Strip. The proposal includes both Forest Service and Bureau of Land Management lands.

Title IV is a severability clause.

Title V further resolves the RARE II controversy in Arizona by making certain national forest system lands in Arizona which are not designated as wilderness, wilderness study or remaining in further planning available for uses other than wilderness.

Legislative History

S. 2242 was introduced on February 1, 1984. No hearings have been held on S. 2242. A companion bill. H.R. 4707, has passed the House and ordered placed on the Senate Calendar on April 4, 1984. The Administration supports enactment of H.R. 4707, if amended. At a business session on May 2, 1984, the Senate Committee on Energy and Natural Resources ordered S. 2242 favorably reported with an amendment in the nature of a substitute.

Committee Recommendations and Tabulation of Votes

The Senate Committee on Energy and Natural Resources, in open business session on May 2, 1984, by a unanimous vote of a quorum present recommended that the Senate pass S. 2242, if amended, as described herein.

The rollcall vote on reporting the measure was 21 yeas, 0 nays as follows:

YEAS	NAYS
Mr. McClure	
Mr. Hatfield	
Mr. Weicker [1]	
Mr. Domenici [1]	
Mr. Wallop	
Mr. Warner	
Mr. Murkowski [1]	
Mr. Nickles [1]	
Mr. Hecht	
Mr. Chafee	
Mr. Heinz [1]	
Mr. Evans	
Mr. Johnston [1]	
Mr. Bumpers	
Mr. Ford	
Mr. Metzenbaum [1]	
Mr. Matsunaga	
Mr. Melcher	
Mr. Tsongas [1]	
Mr. Bradley	
Mr. Levin [1]	

[1] Indicates voted by proxy.

Committee Amendments

The Committee amended S. 2242 with a substitute which included five titles.

Title I of S. 2242 designates the following lands as wilderness:

Arizona wilderness areas and acreage

Area	*Acreage*
Apache Creek	5,420
Cedar Bench	14,840
Bear Wallow	11,080
Castle Creek	21,800
Chiricahua	69,700
Fossil Springs	11,550
Four Peaks	53,500
Galiuro	23,600
Granite Mountain	9,800
Hellsgate	36,700
Kendrick Mountain	6,510
Mazatzal	46,520
Miller Peak	20,190
Mt. Wrightson	23,250
Munds Mountain	17,200
Pajarita	7,420
Red Rock-Secret Mountain	43,950
Rincon Mountain	38,580
Salome	18,000
Salt River Canyon	32,800
Kachina Peaks	18,000
Santa Teresa	26,780
Superstition	35,640
Sycamore Canyon	8,180
West Clear Creek	13,600
Wet Beaver	6,700
Woodchute	5,700
Strawberry Crater North and South	10,140
Escudilla	5,200

Apache Creek Wilderness.—This small, remote area of 5,420 is located 32 miles northwest of Prescott on the Prescott National Forest. The boundaries are precisely those in RARE II. Apache Creek is characterized by rolling juniper and pinyon-covered hills and granite outcrops. It is one of the more rugged and remote areas on the forest and features three natural springs and several important riparian zones, including Apache Creek itself. Elevations range from 5,200 feet to more than 7,000 feet and the area provides excellent habitat for wildlife, including mountain lion. More than 50 species of birds have been sighted in the area, including bald and golden eagles. The Committee notes that the most likely access into the Apache Creek Wilderness may involve travel across private land. The Forest Service should work to develop appropriate access alternatives to mitigate the impacts of people using the wilderness on private land owners.

Cedar Bench Wilderness.—The name of the Arnold Mesa RARE II study unit was changed to Cedar Bench because the Arnold Mesa geographic feature was not included; Cedar Bench is the dominant feature in the proposed unit. This 14,840-acre area on the Prescott National Forest consists essentially of a broad northwest-southeast trending ridge that forms the dividing line between the Verde and the Agua Fria River drainages. Elevations range from 4,500 feet to 6,700 feet. The entire area rises toward the north before bluffing out to steep,

east-facing slopes that overlook portions of the Verde River, which would be designated by this legislation as a component of the National Wild and Scenic Rivers System. The area is dotted by numerous Indian sites and offers excellent opportunities for solitude. Designated for further planning by the Forest Service, Cedar Bench received very high ratings for natural integrity and apparent naturalness in RARE II.

The Gila trout, identified as "in jeopardy," has been reestablished in Gap Creek, located in the central portion of the wilderness. Also, the endangered southern bald eagle, of which there are only 12 known pairs, nests near this area on the Verde River.

The boundaries approved by the Committee are roughly half the size of the originally inventoried unit. The Cedar Bench Wilderness holds significant potential for copper, molybdenum, oil and gas, and other minerals.

In addition, the unit contains extensive rolling grasslands to the west that would have presented major management difficulties for the Forest Service. As a result, these areas were deleted and the boundary pulled back to the Verde Rim, which should provide a highly visible and defensible boundary while eliminating any possible conflicts with the grazing permittee on the western grassland portion of the unit.

Bear Wallow Wilderness.—This 11,080-acre unit is located about 25 miles southwest of Alpine and about 30 miles north of Clifton on the Apache-Sitgreaves National Forest. The canyon of Bear Wallow Creek is exceptionally beautiful and provides critical habitat for a wealth of wildlife, including black bear, mountain lion, blue grouse, turkey, chickaree, and the endangered southern bald eagle. One of Arizona's largest elk herds winters in the area. Bear Wallow Creek itself a major tributary of the Black River.

The Committee has added to the unit approximately 4,000 acres above the canyon of Bear Wallow Creek which contains what is generally recognized as the finest stand of old growth Ponderosa pine in the entire State. This exceptional forested area sits atop the magnificient Mogollon Rim. This stand was at one time proposed for a timber sale, but it was canceled.

Castle Creek Wilderness.—This portion of the Prescott National Forest is an important addition to the National Wilderness Preservation System that was favorably recommended in RARE II. The area is situated on the east slope of the Bradshaw Mountains. With elevations rising from 3,000 feet to more than 7,000 feet, the area is characterized by prominent granite peaks that overlook the Aqua Fria River and extremely rugged topography. This abundance of wildlife and the importance of wildlife habitat in the Castle Creek area is rarely matched in Arizona.

Three threatened native Arizona Wildlife species, the yellow mud turtle, desert tortoise and Arizona Gilbert's skink—are present, as is the habitat for five additional animals, including Arizona ridge-nosed rattlesnake, tarahumara frog and buff-breasted flycatcher. The Arizona Game and Fish Commission's list of protected animals found in Castle Creek include Gila monster, rattlesnakes, desert tortoise, and horned lizards.

In addition, Castle Creek provides an outstanding recreational resource just 20 miles south of Prescott and 40 miles north of booming

Phoenix. The area has 26 miles of established trails snaking through its wild and varied landscape, which is characterized by scenic vistas, deep, twisting canyons with multiple waterfalls and dense vegetation.

Chiricahua Wilderness Additions.—The bill adds 69,700 acres to the existing Chiricahua Wilderness, with only minor adjustments to the boundaries recommended by the President. Located in southeast Arizona near the border with New Mexico, the area presents very striking volcanic rock formations, exotic plant and animal species and canyons that run through occasionally snowy peaks. The Rocky Mountain and Sierra Madre biotic provinces overlay in the Chiricahuas, as do the Sonoran and Chihuahuan deserts, producing home of the copperytail trogon. Relicit Arizona cypress stands are found in the Price Canyon addition.

Fossil Springs Wilderness.—This 11,550-acre area is a deep canyon of the Mogollon Rim, located about 60 miles south of Flagstaff. Adjacent to the boundary are the springs themselves, which issue from the red-wall limestone at a rate of 20,000 gallons per minute. Fossil Creek is a fascinating waterway that will turn blue at times. It is one of the most diverse and lush riparian areas in all of Arizona, offering more than 30 species of trees and shrubs in stark contrast to the surrounding desert. A rich mixture of ash, walnut, alder, willow, box elder, cacti, cottonwood and Ponderosa pine on the higher plateaus help to provide excellent habitat for deer, javelina and more than 100 bird species.

The boundary has been drawn to exclude the Mud Springs development, and by pulling the boundary back to the canyon rim in most cases, flat rim country suitable for range improvements and possible vegetative manipulation has been excluded.

Four Peaks Wilderness.—The proposed creation of the 53,500-acre Four Peaks Wilderness would represent a major and particularly outstanding addition to the wilderness system in Arizona. Four Peaks is situated just 35 miles east of Phoenix and directly north across the Salt River from the existing Superstitions, but also will provide burgeoning Phoenix with one of the most outstanding recreational resources in the Nation, and right on its doorstep.

The area runs from an elevation of just 1,600 feet, where fantastic stands of the giant Saguaro cactus so identified with Arizona grow through stands of cypress and pine, to the dominating 7,600-foot heights of Four Peaks itself, all with a few miles. The variety of recreational opportunities are unparalleled in central Arizona. Good trails are located throughout. Graded roads provide easy access to many points on the periphery. Picnicking, dayhiking, lengthy backpack trips, technical rock-climbing, hunting or just strolling down forested paths are all easily available. The area includes sheer bluffs dropping directly into Canyon and Apache Lakes on the southern boundary.

Four Peaks incorporates an area north of the road to Cane Spring that is the site of an uncommon forest of Saguaro cacti. Prevention of off-road vehicle entry into this area for the purposes of protecting this extraordinary symbol of the Southwest should be a primary goal of the Forest Service. In addition, the northern boundary east of Mone Mountain was extended to provide a more logical line that incorporates some important peaks, springs and canyons.

Galiuro Wilderness Additions.—The 23,600-acre addition to the Galiuro Wilderness on the Coronado National Forest rounds out the boundaries of one of the original areas named in the Wilderness Act of 1964. The lands proposed for addition to the wilderness were allocated to "further planning" in RARE II. The rough and rugged slopes of the Galiuros rise from 4,000 feet on the west to a high point on Basset Peak at 7,671 feet. The area is dominated by two north-south ridges separated by Rattlesnake Canyon. A 1.5-mile-wide strip, known as the "Galiuro Corridor," embraces this canyon and is presently excluded from the existing wilderness. The corridor has previously been excluded because of old mining activity and the presence of a road down its center. However, there has been no new mining activity in the 20 years since passage of the Wilderness Act and the "road" is lightly used by off-road vehicles. In the Committee's opinion, the long-term integrity of the Galiuro Wilderness cannot be assured without incorporation of the corridor into the wilderness.

The proposed additions also include portions on the west, south and southeast sides of the existing wilderness to provide more logical boundaries and to protect several important drainages.

The Galiuros remain one of the finest backpacking areas in all of southern Arizona. They are still extremely wild and provide an exceptional haven for many species of birds and wildlife.

Granite Mountain Wilderness.—This proposed wilderness of 9,800 acres is located just 3 miles northwest of Prescott and contains the most prominent geographic feature in the area. It is one of the most popular hiking and natural areas in the region and the views of the surrounding valley from the top of 7,626-foot Granite Mountain are truly spectacular. Horseback riders, picnickers and technical rock climbers make extensive use of the area, which also is home to a significant diversity of plant and animal life, including Gila monster, bobcat, black bear and mountain lion. The boundaries are virtually identical to those identified and recommended by the President.

Hellsgate Wilderness.—The 36,700-acre Hellsgate unit is located southeast of Payson on the Tonto National Forest. Hellsgate is a superlative network of steep, rugged canyons at the base of the Mongollan Rim containing awesome rock formations and many deep pools and cascading waterfalls. The name of the area itself is derived from a deep and jagged gorge, whose walls tower some 1,500 feet above foaming falls and emerald pools for trophy trout. The area has many miles of good hiking trails that provide a good variety of hiking opportunities—experienced hikers can take on rough climbs where rock barriers must be traversed and where deep pools often require floating an air mattress to transport equipment. Other trails, however, offer comparatively leisurely hikes.

The boundaries have been expanded with the intent of protecting as much of the Tonto, Haigler, Spring and Houston Creek drainages as possible. These waterways and the network of canyons through which they run are the essence of the proposed Hellsgate Wilderness and should be protected as fully as is practicable.

The area also has an interesting cultural history. A variant of the Hohokam civilization, known as the Salado culture, farmed this area for 500 years until around 1400 A.D. The Salados are famous for their

pottery and many sherds have been found in ruins located in the area. The Apaches dominated the area during the 19th century.

Kendrick Mountain Wilderness.—A small area of just 6,510 acres, Kendrick Mountain is nonetheless one of the more popular recreational spots in northern Arizona. It is a heavily forested volcanic dome, the largest of several in the San Francisco volcanic field near Flagstaff. The only other area north of the Mogollon Rim which displays as varied vegetation types as Kendrick Mountain is the San Francisco Peaks. Ponderosa pine, mixed conifer, aspen, corkbark fir, alpine meadow and Engelman spruce all are found on the mountain. It is part of an important summer range for elk as well.

Local schools and colleges frequently use Kendrick Mountain for educational outings and hikers, hunters, horseback riders, photographers and nature watchers also frequent the area. The boundaries are those recommended by the Administration.

Mazatzal Wilderness Additions.—This 46,520-acre addition to the existing Mazatzal Wilderness, which embraces a segment of the Verde River declared wild and scenic by section 103 of this Act, establishes the Mazatzal as one of the premier wilderness areas in the entire Southwest. The area added is on the northern and western boundary of the existing wilderness, terminating near the confluence of the Verde River with Tangle Creek. The westernmost boundary of the additions was drawn along a ridge that runs the length of the Verde River so as to protect the river valley as much as possible. The additions themselves incorporate numerous side canyons and mesas in the magnificent Mazatzal Wilderness. Its rugged topography and remoteness, as well as its lush riparian habitats, provide the full range of wilderness qualities and activities. The area abounds in wildlife, including southern bald eagles, otters, beavers, javelina, deer, bear, kit fox and many other native Sonoran species.

The wilderness designation is accomplished by special language concerning access for the maintenance and installation of hydrologic, meteorologic and telecommunications facilities necessary for flood control and related activities. The Salt River Project (SRP) currently has located within the proposed wilderness additions several stream gaging stations and other devices essential to its operation of numerous dams and other facilities that provide flood protection for metropolitan Phoenix. Access to these facilities is currently accomplished by helicopter, and continued access on a timely and regular basis is critical to SRP's responsibilities. In addition, SRP may in the future need to relocate existing facilities within these additions or install new equipment.

The purpose of this special language is to underscore the Committee's belief (as stated in previous Committee reports—including House Report No. 95–540) that nothing in the Wilderness Act would prevent or unreasonably impede such activities. As such, the uses authorized by this special language should be considered as a direction and reaffirmation of Congressional policy vis-a-vis such use.

The boundary cutting across Hardscrabble Mesa to the topographic break of the mesa rim is to accommodate intensive ranching activities on the mesa top.

Miller Peak Wilderness.—Located just 6 miles north of Sierra Vista in the southern half of the Huachuca Mountains, the Miller Peak unit

consists of about 20,194 acres of land recommended for wilderness by the President. The boundaries are substantially those recommended by the President, with the one exception being the addition of the Lone Mountain area on the southwest corner of the unit.

Miller Peak is one of the most rugged, wildlife-filled areas in all of southern Arizona. Elevations range from 5,200 feet to 9,466 feet at Miller Peak itself. The complex geology of the area produces a plethora of deep canyons, perennial streams, springs and waterfalls, sharply rising mountains and broad valleys. Well maintained but unobtrusive trails go to the unit's major points of interest and lead to some of the most exceptional panoramas in southern Arizona.

The Huachucas are famous as a haven for bird life and more than 170 species, including 14 species of hummingbird, have been observed. More than 60 species of reptiles and 78 species of mammals also are located in this range. The proposed wilderness will surround three sides of the world-famous Ramsey Canyon Nature Preserve managed by the Nature Conservancy.

The area also has a rich and colorful mining and ranching history, with some remains of old mining operations still visible. They do not, however, constitute a "substantial imprint of man's handiwork."

Mt. Wrightson Wilderness.—Lying at the core of the Santa Rita Mountains in southern Arizona, Mt. Wrightson is arguably the most popular natural area in the entire region. The 23,250-acre is located just 30 miles south of burgeoning Tucson and was recommended for wilderness by the President. The boundaries are substantially those proposed by the President but include some adjustments to reduce unnecessary buffers and to conform to ecologic and topographic considerations.

Surrounded on all sides by semi-arid rolling hills and sloping savannah, the center of the wilderness is striking Mt. Wrightson Peak, at 9,453 feet the highest point in Pima and Santa Cruz Counties. Its majesty is accentuated by the fact that it rises a full 7,000 feet above the valley floor and can be seen from Tucson and surrounding communities.

Mt. Wrightson's stream-fed canyons are the source of an exceptional abundance of animal and plant life. Ponderosa pine and some Douglas fir dominate the higher elevations. Rough hillsides, deep canyons and lofty ridges and peaks characterize the proposed wilderness throughout.

Mt. Wrightson's wilderness attributes are among the highest in the State. Although there does exist some evidence of small-scale hardrock mineral developments, now inactive, they are not obtrusive and serve mainly as interesting cultural reminders of the past. On the other hand, the recreational opportunities on Mt. Wrightson are extraordinary. Trails connect the major creek drainages and peaks, yet there are large tracts of nearly inaccessible land where no sign of man exists for miles. Mt. Wrightson is an extremely well-known area for birdwatchers, backpackers and other outdoor enthusiasts. A developed recreation area in Madera Canyon lies at the foot of the proposed wilderness and the Mt. Wrightson area is internationally renowned as a unique habitat for a variety of both common and rare birds. The Audubon Society offers tours into Madera Canyon through its local

and national publications. Animal life is abundant, including seven State-listed rare or endangered species.

Considerable interest in the Mt. Wrightson area has been expressed by the mining community. Indeed, the lands all around the proposed wilderness, and to some extent the lands within the wilderness, have been the site of considerable small-scale mining activity in the past.

Munds Mountain Wilderness.—Situated in the heart of red rock country so closely identified with the scenic wonders of Arizona, the Munds Mountain area consists of approximately 17,200 acres. It is located just 5 miles southeast of rapidly growing Sedona, on the Coconino National Forest.

Extensive ramps of tertiary basalt flows are cut by the steepwalled drainages of Rattlesnake, Upper Jack's and Woods Canyons. Elevations range from 3,600 feet to 6,800 feet. Munds Mountain itself, and surrounding high points as well, display inspiring outcrops of Coconino sandstone. The lower portions reveal colorful Supai formations that are a popular tourist attraction. Long red rock "streets" in Woods Canyon form pools that accent the riparian richness of this unit.

The Committee has deleted roughly half of the acreage in the original RARE II unit. Major deletions were carved out of the southern portion of the unit in the Bias Canyon and Hog Canyon areas to permit extensive improvements to be installed by the permittee. Deletions were agreed to on portions of the western boundary to accommodate ranching concerns, avoid subdivided private property and provided more defensible boundary back toward the base of the cliffs. The truncating of Horse Mesa originally contemplated by the Forest Service was rejected in favor of a proposal to include all of this feature. The original RARE II name of the area, "rattlesnake", has been dropped so as not to conflict with Montana's existing Rattlesnake Wilderness. Instead, the Committee has adopted the name of its most prominent feature for the proposed wilderness.

Pajarita Wilderness.—Although comprising only about 7,420 acres, this unit on the Colorado National Forest is extremely important for wildlife and plant life. Hugging the international border with Mexico, Pajarita's canyons, principally Sycamore Canyon, provide an important corridor for life zones to the north and south. The Goodding Research Natural Area, located on the eastern boundary of Pajarita, lists botanical species found nowhere else, or in very limted areas outside the unit. A total of 14 vertebrates and 27 species of plants listed as threatened, endangered or rare are found in Pajarita. Sycamore Canyon is widely known and esteemed both as a popular hiking spot and more importantly, as the habitat for special life forms too numerous to list. The largest breeding population of the five-striped sparrow, a Mexican bird found north of the border only in Arizona, lives here. The Sonora chub, the common fish species of Sycamore Creek, is found nowhere else in Arizona or the United States. The abundance of wild flowers put on an annual display of color extremely popular with photographers.

Pajarita is one of the most delicate and important ecotypes in all of Arizona. Reports of the possibility of significant mineral deposits of recent interest to the mining community make designation of Pajarita as a wilderness a priority.

Red Rock-Secret Mountain Wilderness.—This unit is separated from the Sycamore Wilderness by a powerline and was recommended for wilderness by the President. Consisting of 43,950 acres on the northern edge of rapidly growing Sedona, the proposed wilderness presents one of the most awe-inspiring sights in all of Arizona. The red, tan and buff cliffs that mark the edge of the Colorado Plateau form an escarpment that plunges from the Ponderosa pine forests above to the desert-like grasslands below.

But Red Rock-Secret Mountain offers much more than just the world famous cliffs that are the backdrop to the community of Sedona. The area has great climatic variations, with above average rainfall. There are eight major plant communities in the unit, and 250 species of vertebrates, including elk, deer, coyote, mountain lion and bear. The rare and endangered peregrine falcon has been sighted. The area also represents the northern and southern limits of many biological species.

To the north, the unit embraces the west fork of Oak Creek which has already been designated as a Natural Scenic Area. This is an area of extraordinary beauty and its waters are essential to much of the wildlife and biota of the area.

The proposed boundaries have been the subject of intensive examination and negotiations. Numerous areas on the north of the main body of the unit and around the west fork of Oak Creek have been excluded for possible future timber harvest. The eastern boundary has been drawn to follow a powerline and to come as close to Oak Creek as practicable. A large area on the southwest side of the unit, consisting primarily of rolling grasslands, was added to ensure that this type of environment is contained in the unit.

Rincon Mountain Wilderness.—This sharply rising mountainous area of approximately 38,580 acres is located just 30 miles east of Tucson and embraces three sides of the Saguaro National Monument Wilderness. The boundaries are almost identical to those recommended by the Presient. In fact, one of the primary functions of the Rincon wilderness is to complement the Saguaro National Monument and to protect the complete ecosystems the monument was founded to contain.

In addition, four trails cross the area and hikers can quickly find complete solitude in its canyon bottoms or along the ridgelines to the high elevations of the Rincons.

Salome Wilderness.—Few areas combine verdant riparian habitat, diverse animal and botanic life with exciting scenic displays as well as the proposed Salome Wilderness. Salome Creek brings year-round water through the unit and creates a lush ecosystem sheltered by a variety of broadleaf trees. The water has made spectacularly picturesque forms out of the bedrock by cutting a deep narrow gorge which rises nearly 1,400 feet out of the surrounding Ponderosa pine forest. In the southern and central portions of Salome, the creek and its tributaries have wide perimeters of jagged cliffs, shaped by centuries of wind erosion. Yet the runoff through numerous washes has created a rugged Sonoran desert habitat which blooms with the spring rains. All runoff goes down into Salome Creek which flows out of the unit, eventually reaching Roosevelt Lake, the large reservoir serving metropolitan Phoenix.

Access for hikers provided by a number of unmaintained trails. The narrow canyons and rich vegetative cover make it possible for visitors to have a deep sense of solitude. The area rises rapidly from the Sonoran desert on the south to the pine forests in the north and provides sweeping vistas of surrounding wild lands. Hunters will find considerable small and large game, and fishing for large trout in the deep pools of Workman and Salome Creeks is very popular. In its report on Salome, the Arizona Game and Fish Commission said that the area "contains one of the finest examples of a mountain stream in a deep, spectacular canyon. Salome Creek is a selfsustaining fishery with both native and introduced species. It is a classic wilderness."

Approximately 13,000 acres were deleted from the RARE II boundaries of this unit, leaving a total of nearly 18,000 acres. Most of the deletion occurs on the northwest where a grazing permittee has instituted a new, intensive management range program named after its creator, Alan Savory. On the basis of testimony from the mining industry, other deletions were made on the northeast at the top of Workman Creek. The area reportedly contains substantial mineral potential, especially for uranium and associated minerals.

Salt River Canyon Wilderness.—The fundamental purpose of this 32,800-acre unit of the Tonto National Forest is to protect the exceptional resources of the Salt River, which runs through the heart of the area. The country of the Salt River Canyon is magnificent with awe-inspiring views, deep and spectacular canyons and breathtaking promontories projecting more than 2,000 feet above the Salt River. One of the last and most pristine free-flowing rivers in the Sonoran desert meanders through the rugged desert landscape, providing striking contrasts of color, vegetation and wildlife. The area is extremely rich in wildlife, providing a haven for black bear, mountain lion, bald eagles, migratory waterfowl, and many other animals. Access into the area is quite difficult. However, the river itself is exceptionally popular as it offers one of the more challenging rafting experiences in the Southwest. Black Mesa, at 4,300 feet, is the dominating landmark, but there are numerous other geologically interesting volcanic formations throughout the Salt River Canyon.

Kachina Peaks Wilderness.—The name, Kachina Peaks, recognizes the religious significance of the San Francisco Peaks to the Hopi Indian Tribe. This area is the home of the Hopi Kachina spirits. This is not a geographic name change for the San Francisco Peaks. It is merely the name of the wilderness unit proper. This 18,000-acre area on the Coconino National Forest is located just north of Flagstaff and is centered on perhaps the most dominant feature in all of northern Arizona, save the Grand Canyon itself. The Peaks unit is a large, heavily vegetated composite volcano, rising in elevation from 7,400 feet to 12,633 feet at Humphreys Peak, the highest point in Arizona. The Peaks exhibit a rich diversity of past geologic events such as lava flows, violent volcanic explosions, glaciation, erosion, and frost action. The only arctic-alpine vegetation in the State exists on the Peaks in a fragile 2-square-mile zone that contains two endangered plants. Large tracts of virgin spruce-fir forests as well as Arizona's only bristlecone pine populate the mountain. There is also a great diversity of resident wildlife, including mule deer, elk, turkey, black bear, coyote and mountain lion. A very popular recreation area, it is heavily used by

hikers, backpackers, cross-country skiers, snow and ice climbers, hunters, birdwatchers and photographers. The views of the Painted Desert, Sunset Crater and the north rim of the Grand Canyon are unparalleled.

In addition, the San Francisco Peaks region, including the peaks themselves, is known by the world scientific community as the site of the birthplace of the modern science of ecology. In the late summer and early autumn of 1889, Dr. C. Hart Merriam, a scientist with the Department of Agriculture, conducted a survey of the San Francisco Peaks and environs, the results of which have had long-range implications for scientific ecological inquiry. While previously it had been generally recognized that different climate zones existed and replaced one another from lower to higher elevations, Dr. Merriam's concept was that plant life found at a particular elevation was generally found elsewhere in the world and that, in many cases, the animal life was similar as well. For example, many plants found in the sub-alpine or timberline (8,500–11,000 feet) zone of the San Francisco Peaks are circumpolar species found throughout the northern regions of America and the world. While Merriam's theory has undergone modification because of overgeneralization, his theory has had an immense impact on avenues of ecological inquiry to this day. The designation of the San Francisco Peaks as wilderness will thus insure that a natural outdoor laboratory will be preserved for scientific investigation and research.

The boundaries have been drawn to exclude the entire permit area of the Arizona Snow Bowl ski facility. The boundary on the south was drawn down to the Friedlein Prairie Road to include several pristine alpine meadows and aspen thickets. In the long run this boundary is the most locatable and will be the easiest for the Forest Service to manage, especially against off-road vehicle use. A more logical boundary on the north and west side of the unit was drawn along the 8,800-foot contour to protect wildlife habitat and prevent off-road vehicle entry.

Santa Teresa Wilderness.—The Santa Teresas are located on the Coronado National Forest, about 30 miles west of Safford. They are characterized by a network of rugged mountains, deep canyons, and large mesas. Elevations rise from less than 4,000 feet in the canyon bottoms to nearly 7,500 feet at the summit of Cottonwood Peak. The central part of the wilderness is dominated by Holdout and Mud Spring mesas. The nearby Holdout Canyon typifies the Santa Teresas because its extreme ruggedness and abundance of caves and alcoves provide extraordinary solitude. The area has several good foot trails leading to major points of interest, but is at present little used. A wide variety of game and non-game animals are present, including black bear and peregrine falcon. The area, consisting of about 26,780 acres, is defined largely by the boundaries recommended by the President.

The Black Rock Wash Road provides the most reasonable vehicular access to the vicinity of the proposed wilderness. In addition, the road is vital to several ranching families in the area. The road traverses lands known as the San Carlos Mineral Strip which are held in trust by the United States for the benefit of the San Carlos Apache Tribe as described by the Executive Orders of November 9, 1871, and Decem-

ber 14, 1872, the Act of June 10, 1896 (29 Stat. 321, 360), Orders of the Secretary of the Interior dated June 17, 1963 and January 16, 1969, and Judgment of the United States District Court for the District of Arizona, dated April 11, 1978 in *State of Arizona* v. *Rogers C. B. Morton*, the United States of America and the San Carlos Tribe of Indians, No. Civ. 74–696, PHX–WPC.

No right-of-way pursuant to Federal law has been acquired. Although the lands were once opened to entry pursuant to the mineral entry laws of the United States, no rights-of-way were acquired during that period. All of these lands were closed to entry by Secretarial Order of March 30, 1931, and September 9, 1934.

The State of Arizona, the United States and local ranchers have been permitted access across this land by the tribe. In 1978, the tribe offered to formalize that access by the issuance of permits to the State, to the ranchers, their agents and representatives, and to the United States. The permits proposed for the State and the United States were to be for governmental administrative purposes and not for general public access.

The Committee recommends that the parties formalize this access by the issuance and acceptance of tribal access permits.

The Committee further recommends that a joint permit system be established between the San Carlos Apache Tribe and other Federal agencies to govern public access to the area. The area is remote and difficult to protect from vandalism. The Committee finds that this method of limited access to be in the best interests of protecting the wilderness area, the government and persons having real property interests in the area.

Superstition Wilderness Additions.—The Superstition Mountains begin just 30 miles due east of Phoenix and the existing wilderness is one of the most heavily used outdoor recreation areas in the Southwest. The proposed additions of about 35,640 acres recommended for further planning in RARE II not only will protect new prime wilderness lands, but also will help to alleviate pressure on the existing wilderness by dispersing use.

Geologically, the additions are composed of the same volcanic rock as the existing wilderness, but they often assume varied qualities, unusual cracking and warping. The high pine-covered mountains in the southeastern addition are cut by deep desert canyons that form an area unique to the range. The stands of saguaro and cottonwood in the northern additions are as extensive as any within the wilderness. From points in these additions, the high green desert can be seen to rise and fall for miles on end, and the feeling of distance and freedom, all that is best in the meaning of wilderness, is complete. Included, too, are the more intimate desert canyons where permanent arid-country streams lined with forests of pine and cottonwood abound. In short, the additions typify the great variety of the Superstition Range, which is perhaps its most singular quality.

Sycamore Canyon Additions.—About 8,180 acres on the Prescott and Coconino National Forests would be added to the existing Sycamore Canyon Wilderness. The southern portions of the area is a broad mesa with gently sloping drainages that are tributary to the Verde River. The northern section is in foothills which rise to a 300-foot rim of rugged sandstone outcrops along Sycamore Canyon. Elevation

ranges from 3,700 feet to 6,500 feet. The natural integrity of these additions is excellent and their inclusion will help to enhance opportunities for solitude in the Sycamore Canyon region.

West Clear Creek Wilderness.—About 13,600 acres located just 25 miles northwest of Camp Verde, West Clear Creek is one of the most remote and picturesque of all the canyons on the Mogollon Rim. The Canyon forms where Willow Valley and Clover Creek join near two access trails, then it meanders westward for some 35 miles, ending near Bull Pen. The canyon itself is very narrow and the numerous side canyons enter it, which make for an outstanding sense of aloneness. The recreational attributes of West Clear Creek are exceptional. Entering from the west a trail follows the creek eastward and climbs up the northern slope to the rim. Short and easily traveled access trails drop to the canyon bottom. For the more adventuresome, hiking deeper into the wilderness area requires wading or swimming in numerous spots.

Several thousand acres were deleted from the eastern reaches of the proposed wilderness to accommodate future timber sales.

In addition, considerable acreage was cut out of the southern and western portions to allow for future range improvements. The Committee notes that two major transmission lines bisect the proposed wilderness. However, the towers supporting the powerlines are located outside the wilderness boundaries. The lines themselves are barely visible from within the wilderness and do not constitute an adverse impact on the attributes of the unit. On the other hand, the wilderness designation should in no way interfere with appropriate maintenance, if any, of the powerlines. In general, the RARE II boundaries were pulled back to the canyon rim along the entire length of the West Clear Creek area.

Wet Beaver Wilderness.—Comprising 6,700 acres of the Coconino National Forest, the proposed Wet Beaver Wilderness is located 40 miles southeast of Flagstaff. It is a steep-walled canyon cutting into the Mogollon Rim of the Colorado Plateau. The boundary follows the canyon rim fairly closely ending on the west where Wet Beaver Creek Canyon opens toward the Verde Valley.

The creek is a benchmark of pristine riparian habitats and excellent water quality. It is a superlative example of one of Arizona's finest but most rare resources, the perenially flowing desert stream. Along its banks, cottonwoods, sycamore, ash and even the false valo verde grow along with maidenhair fern and prickly pear. The Arizona black hawk nests in the canyon. Wet Beaver Creek has been proposed as a scientific natural area by the Arizona Academy of Science. It already is a popular recreation spot which is easily accessible but still provides a genuine sense of solitude by virtue of its narrow, twisting character.

Woodchute Wilderness.—This small 5,700-acre area is located on the Prescott National Forest about midway between two of Arizona's more rapidly growing communities, Prescott and Cottonwood. From atop Woodchute Mountain, there are spectacular vistas of the red rock country around Sedona, the San Francisco Peaks and the extensive valleys west of Mingus Mountain. Trailheads leave from a nearby paved road. The terrain is less rugged than other Arizona wilderness areas, making Woodchute a popular outdoor area for the elderly and

handicapped. There is a rich diversity of wildlife, including golden eagles, great horned owls, bear and mountain lion.

Strawberry Crater North and South Wilderness.—The proposed wilderness area is gently rolling Pinyon-Juniper cinder terrain, about 5,500 feet to 6,000 feet in elevation. It is surrounded at the southern tip by low cinder cones and cut at the northwestern corner by Strawberry Crater. The Strawberry Crater is part of the San Francisco Mountain volcanic field, which contains some 600 craters and cones. The Crater itself is anywhere from 50,000 to 100,000 years old. The wilderness unit contains numerous archaeological features and prehistoric Indian ruins.

Escudilla Wilderness.—This 5,200-acre area is a massive volcanic uplift; the third highest peak in Arizona; and dominates the surrounding mountain and plateau landscape. The mountain is an important landmark for local residents who mark the seasons by the flow of colors across its aspen groves. Escudilla has long been a symbol of wildness and majesty, known to people all over the world thanks to the writings of naturalist Aldo Leopold. Escudilla is a sacred peak for many Native Americans, a sister to the neighboring Mt. Baldy, already protected as wilderness. Bead Springs and associated sites on Escudilla are known as sites of Indian offerings. The area support extensive stands of Spruce-fir, Douglas-fir, Aspen, and Ponderosa, and large meadows of mountain grasses and wildflowers. In addition, it features a rock glacier.

Section 101(f) allows for vegetation control programs by use of mechanized equipment, chemicals or prescribed burning methods to maintain the grazing capacity in certain areas designated as wilderness by title I. The methods currently used in these certain specific areas prior to passage of title I shall be the only methods allowed and the areas where vegetation control is currently being done prior to the passage of title I are the only areas where the practice will be allowed to continue after passage of title I.

The aim is to maintain the current level of grass and forage and does not affect stocking rates or other changes in numbers of livestock allowed.

Section 102 of S. 2242 designated the following lands as wilderness study areas:

Bunk Robinson Wilderness Study Area Additions.—This adds 850 acres on the Arizona side of the border to the Bunk Robinson Wilderness Study Area in New Mexico to complete the study unit designated by Public Law 96–550.

Whitmire Canyon Study Area Additions.—This 5,000-acre addition to the study area designated by Public Law 96–550 lies in extreme southeastern Arizona at the southern end of the Peloncillo Mountains. It is bordered on the north by Skelton Canyon and on the south by Geronimo Trail. It has a wealth of exotic and semi-exotic plants and animals, including Coue's whitetail deer, coatimundi, bobcat the mountain lion. Several species of birds and reptiles are found nowhere else in the United States except in these mountains. The vegetation types and riparian associations of the canyons are part of the important wildlife corridor which extends from the Sierra Madres and the Rio Yaqui drainage up through the Peloncillos into the Chiricahua Moun-

tains to the north. The area also has a famous history. Geronimo surrendered near the boundary and the Mormon battalion traveled the route of the Geronimo Trail during the Civil War.

Mount Graham Wilderness Study Area.—The proposal covers the northern half of the Pinaleno Mountains and totals approximately 62,000 acres. Mt. Graham, the fulcram of thoseé sharply rising mountains, is one of the highest peaks in Arizona and is the highest peak south of the Mogollon Rim. The study area encompasses one of the richest and most diverse flora and fauna areas in the entire state. Characteristics typical of both the northern Rocky Mountains and the Sierra Madres found here, as well as five ecological zones. Seven species of rare and endangered plants and unique species such as Chihuahua pine and Mexican white pine are located in the Pinalenos.

The largest and healthiest bear population in southern Arizona is found in the several rare subspecies of animals are considered unique to the Grahams, including Mt. Graham red squirrel, Mr. Graham longtail vole and bottle pocket gopher. At least seven perennial streams-always rare in southern Arizona-course through the unit, and include special species such as the Gila trout. Management of the Mt. Graham area should always be directed toward protection of its extraordinary wildlife and plant life towards maintaining this area in a more pristine condition than what is normally found in national forest recreation area.

The Committee intends that nothing in this Act is intended to alter or change the boundaries of Indian reservations as determined by Executive order, statute, or treaty.

Section 103 designates a 41-mile segment of the Verde River in the State of Arizona as a wild and scenic river. The designation has been recommended by the Administration. The Committee understands that the segment from Beasley Flats south to the confluence of Fossil Creek will be managed as a scenic river, while the remainder of the segment south to the confluence of Red Creek will be managed as a wild river.

Title II of S. 2242 as reported designates an approximate 6,670-acre Aravaipa Canyon Wilderness. It is similar to S. 626 as passed the Senate (Senate Report No. 98–209). The House of Representatives Report (House Report No. 98–643, Part 1) also contains the description and explanation of the title.

Title III of S. 2242 as reported is explained and described in detail in House Report No. 98–643, Part I.

Title IV of S. 2242 is self-explanatory.

Title V—Release of Lands for Multiple-Use Management.—"Release/sufficiency" language has been incorporated by the Congress in several State wilderness bills enacted over the past several years. That language statutorily confirmed the April 1979 administrative "release" of certain RARE II nonwilderness recommended lands and released other lands not designated as wilderness or wilderness study. This was commonly referred to as "Colorado release".

The language continued to trouble a number of affected industry groups, and in an effort to address their concerns, the Committee has made clarifications in the statutory language found in section 501. The Committee wishes to further clarify the purpose and intent of the

provisions of this section and elaborate on certain issues not specifically discussed in previous bills.

The question of "release" i.e., making lands available for nonwilderness management and possible development arises from the interest in the future management of areas reviewed during the RARE II process. The controversy focuses on the point at which those lands not designated as wilderness or wilderness study by this Act but reviewed in the RARE II process can again be considered for possible recommendation to the Congress for designation as wilderness, and on the question of how these lands will be managed.

The "sufficiency" aspect of this question arose because of a decision in Federal District Court in California.

While the decision applied specifically only to the 46 roadless areas in California for which the plaintiffs sought relief, the overall conclusions in the case are binding in States such as Arizona that are located in the Ninth Circuit. The net effect is that development activities on roadless areas in such States may be held up if appealed in administrative or judicial forums. This has, in fact, already happened in several instances, and has thrown a cloud of uncertainty over the development of some roadless areas, whereas development has occurred in others.

Soon after the completion of RARE II, the State of California brought suit against the Secretary of Agriculture challenging the legal and factual sufficiency of the RARE II Final Environmental Impact Statement insofar as its consideration of wilderness in some 46 areas in the State of California was concerned.

In January 1980 Judge Lawrence Karlton of the United States District Court for the Eastern District of California, in *State of California* v. *Bergland*, 483 F. Supp. 465 (1980), held that the RARE II Final Environmental Statement had insufficiently considered the wilderness alternative for the specific areas challenged. Judge Karlton enjoined any development which would "change the wilderness character" of these areas until subsequent consideration of the wilderness values in accordance with the National Environmental Policy Act was completed by the Department of Agriculture. The Ninth Circuit Court of Appeals affirmed in District Court opinion in *California* v. *Block*, 690 F. 2d 653 in 1982.

The Wilderness Act of 1964 provides that only Congress can designate land for inclusion in the National Wilderness Preservation System. Since the Committee has, in the course of developing this bill, very carefully reviewed the roadless areas in Arizona for possible inclusion in the National Wilderness Preservation System, the Committee believes that judicial review of the RARE II Final Environmental Statement insofar as national forest system lands in Arizona are concerned is unnecessary. Therefore, the bill provides that the final environmental statement is not subject to judicial review with respect to national forest system lands in Arizona.

The Committee does wish to reemphasize that the sufficiency language in this Act only holds the RARE II EIS to be legally sufficient for the roadless areas in the State of Arizona and only on the basis of the full review undertaken by the Congress. Similar language will be necessary to resolve the issue in the other States.

MANAGEMENT AND FUTURE WILDERNESS CONSIDERATION OF ROADLESS AREAS NOT DESIGNATED AS WILDERNESS OR WILDERNESS STUDY

The RARE II process during 1977–79 took place concurrently with the development by the Forest Service of a new land management process mandated by the National Forest Management Act of 1976. That process requires that the forest land management plans be reviewed and revised periodically to provide for a variety of uses. During the review and revision process the Forest Service is required to study a broad range of potential uses and options including wilderness. In conjunction with the National Environmental Policy Act, NFMA provides that the option of recommending land to Congress for inclusion in the National Wilderness Preservation System is one of the many options which must be considered during the planning process for those lands which may be suited for wilderness. The language of S. 2242 reconfirms this requirement. The Forest Service is presently developing the initial, or "first generation", plan for each national forest. These are the so-called "section 6" plans, they are targeted for completion by September 30, 1985. For the six national forests in Arizona some plans may not actually be completed and implemented until 1986 or later due to administrative problems including delay resulting from the cloud of the California lawsuit and the debate taking place as a result of pending legislation.

One of the goals of RARE II was to consider the wilderness potential of national forest roadless areas. The Committee believes that further consideration of wilderness during development of the initial plans for the national forest system roadless areas as defined by section 501, not designated as wilderness or wilderness study upon enactment of S. 2242 would be duplicative of the study and review which has recently taken place by both the Forest Service and the Congress. Therefore, the release language of S. 2242, provides that wilderness values of these areas need not be reviewed again during development of the "first generation plans." Moreover, the language provides that during dvelopment of, and prior to or during revision of initial plans, released areas need not be managed for the purpose of protecting their suitability for wilderness designation.

Beyond the initial plans lies the issue of when the wilderness option for roadless areas should again be considered. As noted, the initial plans are targeted for completion by September 30, 1985. The National Forest Management Act provides that a plan shall be in effect for no longer than 15 years before it is revised. The Forest Service regulations, however provide that a forest plan "shall ordinarily be revised on a 10-year cycle or at least every 15 years." (36 CFR § 219.10(g)). The language of S. 2242 tracks these regulations.

The bill, as reported, provides that the Department of Agriculture shall not be required to review the wilderness option until it revises the initial plans. By using the word "revision" the Committee intends to make it clear, consistent with NFMA and current for wilderness designation in the RARE II proposals. The smaller area of 41,000 acres has support of most interest groups.

Forest Service regulations, that amendments or even amendments which might "result in a significant change" in a plan, would not trigger the need for reconsideration of the wilderness option and section 501 so provides. The wilderness option does not need to be reconsidered

until the Forest Service determines, based on a review of the lands covered by a plan, that conditions in the area covered by a plan have changed so significantly that the entire plan needs to be completely revised.

A revision of a forest plan will be a costly undertaking in terms of dollars and manpower and the Committee does not expect such an effort to be undertaken lightly. Every effort will be made to address local changes through the amendment process leaving the revision option only for major, forest wide changes in conditions or demands.

For example, if a new powerline were proposed to be built across a forest, this would be accomplished by an amendment, not a revision, and therefore the wilderness option would not have to be reexamined. Likewise, the construction of new range improvements or adjustments in livestock allotments for permittees would not constitute a "revision". It is only when a proposed change in management would significantly affect overall goals or uses for the entire forest concerned, that a "revision" would occur. For example, the recent eruption of Mt. St. Helens, because it affected so much of the land on the entire Gifford Pinchot National Forest, including the forest's overall timber harvest scenario, would likely have forced a "revision" of the plan.

Likewise, decisions to dramatically increase timber harvest levels on an entire forest or to change a multiplicity of uses in order to accommodate greatly increased recreation demands might force a "revision". In this regard, the Committee wishes to note, however, that in the vast majority of cases the 10–15 year planning cycle established by NFMA and the existing regulations is short enough to accommodate most changes. Conditions are highly unlikely to change so dramatically prior to 10–15 years that more frequent "revisions" would be required. For example, it would be hard to envision a scenario under which demands for primitive, semi-primitive or motorized recreation would increase so rapidly over an entire National Forest that the Forest Service would feel obliged to revise a plan prior to the normal 10–15 life span. Recreation demands might increase in a specific area or areas, but such demands could be met by amending the plan, as opposed to revising it.

Forest Service Chief Max Peterson has indicated that, in his view, most plans will be in existence for approximately 10 years before they are revised. The Committee shares this view and anticipates that the vast majority of plans will not be revised significantly in advance of their anticipated maximum life span absent extraordinary circumstances. The Committee understands and expects that with first generation plans to be in effect by late 1985, or slightly later, the time of revision for most plans will begin around 1995. In almost every case, the Committee, therefore, expects that the consideration of wilderness for these roadless areas will not be reexamined until approximately 1995. The Committee notes that administrative or judicial appeals may mean that many first generation plans are not actually implemented until the late 1980's, in which case plan revisions would be unlikely to occur until around the year 2000, or beyond. Or, if the full 15 years allowed by NFMA runs before a revision is undertaken, the wilderness option may not in some cases be reviewed until the year 2000 or later.

The question has also arisen as to whether a "revision" would be triggered if the Forest Service is forced by the courts to modify or

rework an initial plan, or if the Forest Service withdrew an initial plan to correct technical errors or to address issues raised by an administrative appeal. The Committee wishes to state in the most emphatic terms possible, that any reworking of an initial plan for such reasons would obviously not constitute a "revision" of the plan that would reopen the wilderness question. Rather, any such reworking would constitute proper implementation of the plan. The logic for the Committee's reasoning in this regard is that any such court ordered or administrative reworkings or modifications of a plan would come about to resolve questions related to the preparation and implementation of the plan in accordance with the requirements of NFMA and other applicable law. So such reworking or modification would not be a "revision" (which pursuant to NFMA and the implementing regulations is to be based on changed conditions or demands on the land), because a plan must be properly prepared and implemented before it can be "revised".

The fact that the wilderness option for roadless areas will be considered in the future during the planning process raises the hypothetical argument that the areas must be managed to preserve their wilderness attributes so these may be considered in the future. Such an interpretation would result in all roadless areas being kept in de facto wilderness for a succession of future planning processes. Such a requirement would completely frustrate the orderly management of nonwilderness lands and the goals of the Forest and Rangeland Renewable Resources Planning Act as amended.

To eliminate any possible misunderstanding on this point, the bill provides that areas not designated as wilderness or wilderness study need not be managed for the purpose of protecting their suitability for further wilderness review prior to or pending revision of the initial plans. The Committee believes the Forest Service already has statutory authority to manage roadless areas for multiple use, nonwilderness purposes. It wishes to make clear, however, that study of the wilderness option in future generations of section 6 plans is required only for those lands which may be suited for wilderness at the time of the implementation of the future plans. Between the planning cycles, the uses authorized in the plan in effect can proceed until a new plan is implemented. In short, one plan will remain in effect until the second plan is implemented.

For lands recommended for nonwilderness uses in future generations of plans there is no bar to management which may, as a practical matter, result in the land no longer being suited for wilderness. Thus it is likely that many areas studied for wilderness in one generation of plans may not physically qualify for wilderness consideration by the time the next generation of plans is prepared. As an example of this, the Committee notes that many areas studied for wilderness in RARE II and recommended for nonwilderness have already been developed since their administrative "release" in April of 1979.

Therefore, under this language, the Forest Service may conduct a timber sale in a roadless area and not be challenged on the basis that the area must be considered for wilderness in a future planning cycle. Once a second-generation plan is implemented in accordance with applicable law including the National Environmental Policy Act, the Forest Service may, of course, manage a roadless area not recom-

mended for wilderness designation according to that plan without the necessity of preserving the wilderness option for the third-generation planning process. Should the particular area still be suited for possible wilderness at the time of the third-generation planning process, the wilderness option would be considered at that time. In short, the wilderness option must be considered in each future planning generation if the particular land in question still possess wilderness attributes. But there is no requirement that these attributes be preserved solely for the purpose of their future evaluation in the planning process.

In short, this language means that the Forest Service cannot be forced by any individual or group through a lawsuit, administrative appeal, or otherwise to manage lands not recommended for wilderness designation in a "de facto" wilderness manner. Of course, the Forest Service can, if it determines it appropriate manage lands in an undeveloped manner, just as it can, if through the land management planning process it determines it appropriate, develop released lands. The emphasis here is that the Forest Service will be able to manage released lands in the manner determined appropriate through the land management planning process.

However, the language also provides that lands recommended for wilderness in future generations of plans shall be managed for the purpose of protecting their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law, upon implementation of such plans.

The final issue addressed by the Committee in section 501 of S. 2242 pertains to the possibility of future administrative reviews similar to RARE I and RARE II. With the National Forest Management Act planning process now in place, the Committee wishes to see the development of any future wilderness recommendations by the Forest Service take place only through the planning process, unless Congress expressly asks for other additional evaluations. Therefore, the legislation directs the Department of Agriculture not to conduct any further statewide roadless area review and evaluation of national forest system lands in Idaho for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

The Committee recognizes that this directive might technically be evaded by conducting such a study on some basis slightly smaller than statewide. The Committee is confident, however, that the Department recognizes the spirit as well as the letter of this language and that the Committee can expect there will be no "RARE III".

Section-by-Section Analysis

Section 101(2) designates 29 new wilderness areas or additions to existing wilderness comprising approximately 641,260 acres.

Section 102(b) contains the standard language of all wilderness bills pertaining to the administration of wilderness areas.

Section 102(c) contains the standard language of all wilderness areas pertaining to the filing of maps and legal descriptions for the wilderness designations of S. 2242.

Section 102(e)(1) reaffirms the Wilderness Act's provisions relating to State water laws.

Section 102(f) reaffirms the provisions of the Wilderness Act pertaining to livestock grazing guidelines promulgated by Congress in 1980; permits use of mechanized vehicles and equipment in areas established as wilderness by title I; and directs vegetation control programs be continued with present methods and at levels currently in practice prior to enactment in areas established as wilderness by title I.

Section 102(g) designates three wilderness study areas totaling 67,930 acres and provides for interim wilderness protection until Congress determines otherwise.

Section 103 designates a portion of the Verde River as a component of the Wild and Scenic Rivers System.

Section 201 contains finding pertaining to the proposed Aravaipa Canyon Wilderness.

Section 202 designates a 6,670-acre Aravaipa Canyon Wilderness.

Section 203 provides for administration of the Aravaipa Canyon Wilderness.

Section 204 contains the standard language of all wilderness bills pertaining to the filing of a map and legal description of the Aravaipa Canyon Wilderness.

Section 205 revokes the existing designation of the Aravaipa Primitive Area.

Section 301(a) designates nine new wilderness areas in the "Arizona Strip".

Section 302(b) repeals the existing designations of the Pauite and Paria Canyon Primitive Areas.

Section 401 contains a severability clause.

Section 501 contains so called "release/sufficiency" language.

The intended effect of this language is described earlier in this report.

Cost and Budgetary Considerations

The Committee does not intend that this measure (S. 2242) authorize any additional budget authority for fiscal year 1984 than that already available to the Department of Agriculture and the Department of the Interior. The Committee intends that if any fiscal year 1984 costs are incurred from implementation of the bill that they will be absorbed within funds otherwise available to the Department of Agriculture and the Department of the Interior.

The following estimate of the cost of this measure has been provided by the Congressional Budget Office.

U.S. Congress,
Congressional Budget Office,
Washington, D.C., May 1, 1984.

Hon. James A. McClure,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Dirksen Senate Office Building, Washington, D.C.

Dear Mr. Chairman: The Congressional Budget Office has reviewed S. 2242, the Arizona Wilderness Act of 1984, as ordered reported by the Senate Committee on Energy and Natural Resources, May 2, 1984. We estimate that enactment of this bill would cost the federal govern-

ment about $0.3 million per year during the five fiscal years beginning in 1985.

Title I of this bill adds approximately 641,260 acres of National Forest System lands in Arizona to the national wilderness preservation system, and designates an additional 67,930 acres of land for wilderness review. This title also designates a segment of the Verde River as a wild and scenic river. Titles II and III of the bill add a total of 401,570 acres of land to the national wilderness preservation system. Based on information from the National Forest Service (NFS) and the Bureau of Land Management (BLM), it is estimated that additional costs to the federal government for surveying, planning and related activities necessary to implement the wilderness withdrawals will be approximately $260,000 per year during the five fiscal years beginning with 1984.

According to the provisions of the National Wilderness Preservation System Act, all timber in areas designated as units of the national wilderness preservation system is removed from the timber base of the national forest in which it is located. This results in a reduction of the annual potential yield of the forest. The annual loss of timber receipts resulting from this bill is expected to be less than $60,000 per year. Any such losses would be at least partially offset by reduced payments to state and local governments, and by a reduction in timber purchaser road construction credits.

Lands designated as wilderness are also withdrawn from mineral activity under the terms of the National Wilderness Preservation Act. No significant loss of mineral receipts is expected to result from this bill, because existing surveys show little mineral potential in lands involved, except for those in areas where the resources can be removed under valid existing rights. However, surveys have not been completed for all areas covered by this bill.

All roadless areas in national forests not designated as wilderness or expressly excluded from further review by an act of Congress are currently being reevaluated for their suitability for inclusion in the national wilderness preservation system. S. 2242 removes from this review all roadless areas in Arizona included in the Department of Agriculture's second Roadless Area Review and Evaluation (RARE II). This will result in a small savings in land management planning costs over the next three years.

Enactment of this bill would not significantly affect the budgets of state and local governments.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

RUDOLPH G. PENNER, *Director.*

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of Rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 2242 as reported. The Act is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and business.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 2242.

Executive Communications

The pertinent legislative reports and communications received by the Committee from the Department of Agriculture setting forth executive agency recommendations relating to S. 2242 and S. 1611 are set forth below:

Department of Agriculture,
Office of the Secretary,
Washington, D.C., May 11, 1984.

Hon. James A. McClure,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, D.C.

Dear Mr. Chairman: As you requested, here is our report on S. 2242, a bill "to designate certain National Forest lands in the State of Arizona as wilderness, and for other purposes."

The Department recommends enactment of the Arizona Wilderness bill if it is amended as suggested herein.

Section 2 of S. 2242 would designate 23 new wildernesses and make additions to five existing wildernesses. These wilderness designations total approximately 753,000 acres. This section also provides for grazing, protection of existing water rights, continued State authority for wildlife and fish management, and for prohibition of wilderness buffer zones. Provision is also made for installation and maintenance of hydrometeorological or telecommunications facilities in the proposed Mazatzal wilderness. The section directs the Secretary of Agriculture to review grazing on the National Forest wildernesses in Arizona, and report on the results of implementation of the grazing guidelines within the Arizona wildernesses.

Section 3 directs the Secretary to study three areas on the Coronado National Forest and to make recommendations as to their wilderness suitability. Section 4 provides, with respect to National Forest System lands in the State of Arizona, that the RARE II Final Environmental Impact Statement not be subject to judicial review, and that RARE II areas not recommended for wilderness nor subject by Congress to wilderness study be released in the initial land management planning process from further review for possible wilderness recommendation. Section 5 would designate a 50-mile segment of the Verde River as a wild and scenic river.

We analyzed nearly 2 million Arizona acres during the second Roadless Area Review and Evaluation. As a result of that analysis, 406,700 acres were recommended for wilderness, 471,900 acres were identified for further planning, and 1,076,400 acres were recommended for nonwilderness uses. An additional 165,000 acres, known as the Blue Range Primitive Area, have been managed as a National Forest Primitive Area on the Apache National Forest; this area has been recommended by the Forest Service for wilderness as a result of its primitive area review. S. 2242 does not deal with the Blue Range Primitive Area; the Department recommends that it become wilderness.

Of the National Forest areas proposed for wilderness in S. 2242, 11 of the 28 acres, totaling approximately 292,000 acres, were recommended for wilderness by RARE II. These areas are Kendrick Mountain, Juniper Mesa, Castle Creek, Granite Mountain, San Francisco Peaks, Red Rock-Secret Mountain, Rincon Mountain, Chiricahua, Santa Teresa, Mr. Wrightson, and Miller Peak.

We support wilderness designation for these 11 areas. We have reviewed our RARE II recommendations on several of these areas based upon the latest minerals information provided by the Department of the Interior. Based on that review, we now recommend a boundary adjustment in the northern portion of the Castle Creek proposal as shown on the map provided to the Committee. The review also confirms that both the Mount Wrightson and Miller Peak proposals include major areas of mineral potential. These areas also have high wilderness attributes that led to a RARE II recommendation that they be designated wilderness. The mineral conflict with wilderness attributes cannot be completely eliminated even if boundary modifications are made. After reviewing the latest overall assessment of resource values for those two areas, we conclude that they should be designated as wilderness.

Ten areas now included in S. 2242 as wilderness totaling 317,000 acres were identified for further planning in RARE II. We have not completed the further planning; however, planning is underway as part of the Forest planning being done in compliance with the National Forest Management Act. Before making recommendations on the wilderness suitability for those areas identified in RARE II as further planning, we would have preferred to complete the planning. However, with the boundary modifications that have been made, the resource values that would be foregone by designating these ten areas as wilderness are low. Therefore, we do not oppose designation of the Arnold Mesa, Wet Beaver, Fossil Springs, West Clear Creek, Rattlesnake, Mazatzal, Hellsgate, Superstition, Four Peaks, and Galiuro areas. The boundary modifications eliminate our concern that use of the mineral resource in those areas, as they were originally considered, would have to be foregone by wilderness designation.

Seven areas to be designated by S. 2242 as wilderness were identified for nonwilderness multiple uses from RARE II. These areas total 144,000 acres. We believe the seven RARE II nonwilderness areas included in the bill do not merit wilderness designation; however, with the boundary adjustments already proposed, we would not oppose four of these areas—Apache Creek, Pajarita, Sycamore Canyon, and Bear Wallow. If boundary modifications were made to the Salome and Salt proposals, we would not oppose these two areas; we recommend deletion of the northern tip of Salome because of mineral values. We recommend removal of a portion of the northwest side of Salt because of off-road vehicle use. We have provided the Committee with maps of these proposed changes. We oppose designation of the Sheridan area because there are significant watershed concerns that cannot be ameliorated through boundary modification.

The provisions in section 2 for grazing, water rights, authority for wildlife and fish management, and prohibition of buffer zones are unnecessary because adequate authority is provided in the Wilderness Act and by the special grazing guidelines developed in conjunction

with the enactment of P.L. 96–560. Likewise, the special provisions for the proposed Mazatzal wilderness are not required. Section 4(d) of the Wilderness Act constitutes adequate authority to provide for other uses.

The study proposal for Bunk Robinson Peak and Whitmire Canyon on the Coronado National Forest is superfluous since these areas have been included in studies being done under authority of P.L. 96–550. We oppose inclusion of the Mount Graham area as a wilderness study area. The Mount Graham area was recommended for nonwilderness in RARE II. Development of an observatory in this area is being considered. This development would be incompatible with wilderness designation.

We support the bill's declaration that the RARE II Final Environmental Impact Statement for Arizona is legally sufficient, and that adequate consideration had been given to the wilderness and nonwilderness values for all roadless areas in the State recommended in RARE II either for wilderness designation or for uses other than wilderness. As the Committee is aware, the Administration continues to recommend that the release language contained in section 4 of the bill be strengthened to provide more long-term stability to the National Forest System lands not designated as wilderness.

Section 5 would add 50 miles of the Verde River to the Wild and Scenic Rivers System. Our 1981 study considered the 50 miles included in section 5. We recommended that the upper 39.5 miles of the river be added to the National System. We continue to support only that much of an addition from the Verde River.

We estimate that surveying, planning, and performing related activities necessary to implement the wilderness designations in this bill would cost approximately $1 million over the next 5 years.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

RICHARD E. LYNG,
Acting Secretary.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D.C., October 24, 1983.

Hon. JAMES A. MCCLURE,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: As you requested, here is our report on S. 1611, a bill titled the "Arizona Strip District Wilderness Act of 1983."

The Department of Agriculture recommends that S. 1611 be enacted with the amendments suggested herein. We defer to the Department of the Interior regarding those portions of the bill affecting lands administered by the Bureau of Land Management.

S. 1611 would designate nine separate wildernesses containing approximately 100,800 acres of National Forest System land and 288,500 acres of land administered by the Bureau of Land Management in northern Arizona and a small area in southern Utah. In northern

Arizona, the bill would resolve land designations associated with the Roadless Area Review and Evaluation (RARE II) designating wilderness and releasing other lands for uses other than wilderness in the initial National Forest Land Management plans.

The National Forest lands proposed for wilderness are located on the Kaibab National Forest. Most of the lands proposed as wilderness were recommended for wilderness designation as part of RARE II.

The two proposed areas are Kanab Creek which contains approximately 62,000 acres and Saddle Mountain which contains approximately 39,000 acres. The Kanab Creek area is dominated by Kanab Creek, a deep, vertical-walled canyon that marks the western edge of the Kaibab Plateau and is a major tributary of the Colorado River. The area is adjacent to the northern boundary of Grand Canyon National Park. The RARE II recommendations for this area were for 64,162 acres of wilderness and 9,168 acres of further planning. The proposed 39,000-acre Saddle Mountain Wilderness is dominated by Saddle Mountain, a prominent point on a sharp, steep ridge overlooking the Grand Canyon of the Colorado River to the south, Marble Canyon to the east, and an east-facing escarpment of the Kaibab Plateau to the north. The RARE II proposal recommended 38,240 acres for wilderness designation and 950 acres of nonwilderness. While our RARE II recommendation differs slightly from the bill, we appreciate the general consensus that has been reached and agree that nonwilderness resource values will not be significantly affected by the boundaries proposed in S. 1611.

The Department of Agriculture recommends that the release language in section 5(b)(2) be strengthened. The current language would release areas in northern Arizona from further wilderness considerations only through the first generation of land management plans. We strongly believe that, after Congress has considered roadless and undeveloped lands in a State or portion of a State and wilderness legislation is enacted, remaining roadless and undeveloped lands not designated as wilderness should be released from further wilderness consideration and that this release should be permanent or long-term. We enclose language to accomplish this recommendation.

Additionally, we strongly recommend that state-wide legislation be developed. In October 1982, the United States Court of Appeals for the Ninth Circuit affirmed a lower court decision that the Environmental Impact Statement on RARE II was legally inadequate. Consequently, on February 1, 1983, it was announced that the Forest Service would reevaluate all roadless areas examined by RARE II in States where no congressional action had been completed. The review will be carried out in the context of preparing management plans for individual National Forests as required by section 6 of the National Forest Management Act. The effort and money required to carry out this additional review in Arizona could be saved with a state-wide declaration that the RARE II Environmental Impact Statement for Arizona was legally sufficient and that adequate consideration had been given to the wilderness and nonwilderness values of all roadless areas in Arizona recommended by RARE II either for wilderness designation or for nonwilderness uses.

We would like to work with your staff to make suggested minor boundary adjustments to avoid conflicts with roads or other developments that may be adjacent to the proposed wilderness boundaries.

It is estimated that survey, planning and related activities necessary to implement the new wildernesses would cost approximately $100,000 over the next 5 years.

The Office of Management and Budget advises that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

JOHN R. BLOCK,
Secretary.

Enclosure.

USDA SUPPLEMENTAL STATEMENT

(Recommended Amendments to S. 1611—September 1983)

1. In lines 1 and 2, page 7, remove the words "prior to revision of the initial" and insert in lieu thereof, the words "in any." Following the number "1976" in line 5, page 7, insert a period and delete the remainder of line 5 and all of lines 6 and 7.

2. Add new subsection 5(b)(4).

(4) The second Roadless Area Review and Evaluation process and procedures which resulted in identifying lands as recommended for wilderness, requiring further planning, and to be managed for uses other than wilderness in the State of Arizona are hereby declared legally sufficient for the purpose of the National Environmental Policy Act and the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976 for the initial planning cycle required by that Act.

The requested legislative report from the Department of the Interior had not been received at the time of filing of this report. A copy of the legislative report will be made available for the information of the Senate upon receipt.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of Rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, S. 2242, as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

WILD AND SCENIC RIVERS ACT

Act of October 12, 1968 (P.L. 90–542, 82 Stat. 906, as amended; 16 U.S.C. 1271 (note), 1271–1287)

SEC. 3. (a) * * *

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(51) VERDE ARIZONA.—The segment from the boundary between national forest and private land in sections 26 and 27, township 13 north, range 5 east, Gila Salt River meridian, downstream to the confluence with Red Creek, as generally depicted on a map entitled "Verde River—Wild and Scenic River," dated March 1984, which is on file and available for public inspection in the Office of the Chief, Forest Service, United States Department of Agriculture; to be administered

by the Secretary of Agriculture. This designation shall not prevent water users receiving Central Arizona Project water allocations from diverting that water through an exchange agreement with downstream water users in accordance with Arizona water law. After consultation with State and local governments and the interested public and within two years after the date of enactment of this paragraph, the Secretary shall take such action as is required under subsection (b) of this section.

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